

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CRIMINAL ACTION NO. 2:14-cr-00112**

**ALVIS R. PORTER,**

**Defendant.**

**MOTION TO CHANGE SENTENCING DATE**

The defendant, Alvis R. Porter, by counsel, respectfully moves the Court to move up the scheduled sentencing date. Counsel assumes that the sentencing date was previously continued because the Court had a lengthy trial scheduled to begin this week. Now that the trial has been continued until January and may be going on during the time that defendant's sentencing hearing is currently scheduled, Defendant asks for an earlier sentencing date be scheduled which is convenient to the Court. Counsel has been advised that government counsel has no objection to this request.

Respectfully submitted.

**ALVIS R. PORTER**

By Counsel

/s/ J. Timothy DiPiero

J. Timothy DiPiero (WVSB# 1021)

DiTrapano, Barrett, DiPiero, McGinley & Simmons, PLLC

P.O. Box 1631

Charleston, West Virginia 25326

(304) 342-0133 (telephone)

(304) 342-4605 (facsimile)

E-Mail: Tim.DiPiero@dbdlawfirm.com

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CRIMINAL ACTION NO. 2:14-cr-00112**

**ALVIS R. PORTER,**

**Defendant.**

**CERTIFICATE OF SERVICE**

I, J. Timothy DiPiero, do hereby certify that a true and correct copy of the foregoing **MOTION TO CHANGE SENTENCING DATE** was served upon the following counsel of record by electronic filing, this 29th day of October, 2014 and addressed as follows:

Merideth George Thomas  
Assistant United States Attorney  
300 Virginia Street, East  
Room 4000  
Charleston, WV 25301  
meredith.thomas@usdoj.gov

/s/ J. Timothy DiPiero  
DiTrapano, Barrett, DiPiero, McGinley & Simmons, PLLC  
P.O. Box 1631  
Charleston, West Virginia 25326  
(304) 342-0133 (telephone)  
E-Mail: Tim.DiPiero@dbdlawfirm.com